

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Captioned in Compliance with D.N.J. LBR 9004-1(b)

LAW OFFICES OF SKLAR SMITH-SKLAR
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CANDYCE I. SMITH-SKLAR, ESQ.
Attorney for Debtor

In Re:

Jennie A. Tumminello,

Debtor



Order Filed on March 6, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 19-16297-CMG

Hearing Date: 3/6/2024; 9:00am

Judge: Hon., Christine M. Gravelle

Chapter 13

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: X Followed Modified

The relief set forth on the following pages numbered two (2) through three (3) is
ORDERED.

DATED: March 6, 2024

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.
Honorable Christine M. Gravelle
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 213 Blaine Avenue, Seaside Heights, NJ 08751. (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name: of professional: Candyce Smith-Sklar, Esq.	Lisa Goetz, SR
Amount to be paid: \$1,100.00	5.5% Commission due Listing Agent/Buyer's Agent
Services rendered: Review contract, prepare Addendum to Contract of Sale Obtain payoffs, research Liens to determine if satisfied and all document preparation for closing	List Property, Secure Buyer Prepare documents, Close Title, title search

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 25,150.00 claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the *balance due on the debtor's Chapter 13 Plan* shall be paid to the Chapter 13 Standing Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Standing Trustee Seven (7) days after closing.
8. ☒ The debtor shall file a modified Chapter 13 Plan within 21 days of the date of this Order.
9. Other provisions:
 - a. Within 14 days of the date of the Order, Debtor shall file an amended schedule C and J with the Court;
 - b. The debtor's counsel be allowed a legal fee of \$800.00 for representation in connection with this motion and upon filing of a fee application:
 at closing X through the Plan outside the plan;
 - c. The debtor's real estate attorney, Candyce Smith-Sklar, will receive a fee of \$1,100 for representation of Debtor at closing; and
 - d. The mortgage held by Wells Fargo Bank shall be fully satisfied with the proceeds of the sale and the lien shall remain on the Property only until such time as a full payoff is received.

In re:
Jennie A Tumminello
Debtor

Case No. 19-16297-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Mar 06, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 08, 2024:

Recip ID	Recipient Name and Address
db	+ Jennie A Tumminello, 213 Blaine Avenue, Seaside Heights, NJ 08751-2312

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 08, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 6, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Candyce Ilene Smith-Sklar	on behalf of Debtor Jennie A Tumminello njpalaw@gmail.com r56958@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth L. Wassall	on behalf of Creditor Wells Fargo Bank N.A. ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Elizabeth L. Wassall	on behalf of Creditor Wilmington Savings Fund Society FSB, As Trustee Of Stanwich Mortgage Loan Trust I

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Mar 06, 2024

Form ID: pdf903

Total Noticed: 1

ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com

Jeffrey Rappaport

on behalf of Creditor Wells Fargo Bank N.A. jrappaport@logs.com, njbankruptcynotifications@logs.com

Kevin Gordon McDonald

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William M. E. Powers, III

on behalf of Creditor Wells Fargo Bank N.A. ecf@powerskirn.com

William M.E. Powers, III

on behalf of Creditor Wells Fargo Bank N.A. ecf@powerskirn.com

TOTAL: 11